

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of PANCHAUD-MIRABEL

Application No. To be assigned

Examiner:

Filed: Herewith

Group Art Unit:

Customer No. 30448

For: A CULTURE MEDIUM FOR THE PRODUCTION OF FILAMENTARY FUNGHI

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying forms PTO/SB/08A and PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation. Applicant respectfully requests that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of forms PTO/SB/08A and PTO/SB/08B be returned in accordance with MPEP §609.

A copy of each foreign reference is enclosed, along with an English language abstract where available. A copy of the International Search Report for PCT application PCT/EP2005/001262 (for which the present application forms the national phase) is also enclosed, which satisfies the requirement for a concise explanation of foreign language references.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

In re Application of PANCHAUD-MIRABEL  
Application No. To be assigned  
Information Disclosure Statement Pursuant to 37 C.F.R. §1.97(b)  
Page 2 of 2

Certification

This Statement is being filed concurrently with the filing of the present application, and this paper is thus submitted in accordance with 37 C.F.R. §1.97(b). In view of the above certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Dated: 8/10/06

Respectfully submitted,



Mark D. Passler  
Registration No. 40,764  
Sarah E. Smith  
Registration No. 50,488  
**AKERMAN SENTERFITT**  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Tel: (561) 653-5000

Docket No. 9526-94

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of	2
----	---

**Complete if Known**

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	PANCHAUD-MIRABEL
Art Unit	
Examiner Name	
Attorney Docket Number	9526-94

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]Examiner  
Signature

/Wendy Haas/ (06/22/2009)

Date	
Considered	

\*EXAMINER: Include if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Initial copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*See Kinda Codes at USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.6 is possible. \*Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information received is gathered to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. There is no charge for this collection of information. Your comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	PANCHAUD-MIRABEL
Art Unit	
Examiner Name	
Attorney Docket Number	9526-94

Sheet 2

of

2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/W.H./		McCoy, et al., "A Simplified Medium for the Production of <i>Hirsutella thompsonii</i> ", <i>Journal of Invertebrate Pathology</i> , 31:137-139 (1978)	
/W.H./		Liu, et al., "Nutritional Requirements of the Nematophagous Fungus <i>Hirsutella rhossiliensis</i> ", <i>Biocontrol Science and Technology</i> , 12:381-393 (2002)	
/W.H./		Bastos, "Effect of Temperature, pH and Nutrition on Growth and Sporulation of <i>Trichoderma stromaticum</i> sp. nov., an Antagonist of Cocoa Witches' Broom Pathogen", <i>Summa Phytopathologica</i> , 27(1):73-77 (2001)	
/W.H./		Cayrol, et al., "La lutte Biologique Contres les Nematodes Phytoparasites", <i>Le Courrier De La Cellule Environment</i> , Online 17:1-14 (1992)	

Examiner  
Signature

/Wendy Haas/ (06/22/2009)

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application forms to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9198 (1-800-786-9198) and select option 2.